

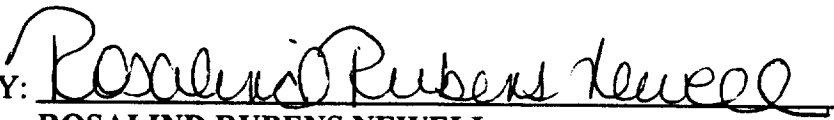
Entered - 01/24/01 - sb
CL01L0063 - DIANNE C. MITCHELL

01-R-1056

CLAIM OF: MRS. SAMMIE FARLEY
2335 Leila Lane, SE
Atlanta, Georgia 30315

For damages alleged to have been sustained as a result of a sewer
back up on January 1, 2001 at 2335 Leila Lane, SE.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0063

Date: June 27, 2001

Claimant /Victim MRS. SAMMIE FARLEY

BY: (Atty)(Ins. Co.)

Address: 2335 Leila Lane, SE, Atlanta, Georgia 30315

Subrogation: Claim for Property damage \$ 1,284.86 Bodily Injury \$

Date of Notice: 01/22/01 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 01/01/01 Place: 2335 Leila Lane, SE

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that her property was damaged due to a sewer back up. The investigation determined that the City had no notice of any problems with the sewer mainline prior to the incident involving the claimant. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 06-27-01

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

JAN 22 2001

RE: CLAIM FOR DAMAGES

Today's Date: 1-16-2001

ENTERED - 1-24-01 - SB

01L0063 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,434.84 property and/or \$ 1,434.84 bodily injury for which I contend the City is liable.

1. Date of Incident: 12/31/00 1-31-1999 2. Time of Incident: 7:00 Clock in evening 3. Police called: X
(month/day/ year) Yes No

4. Location of incident (including street address): 2335 Leila Ln. S.E.

5. Name of your insurance company: State Farm Policy No. 0359-8456-2

6. State what and how incident occurred: Water oven flow that
Went Over the House except for one room

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Sammie Farley
(Print Claimant's Name)

2335-Leila Ln. S.E.
(Address)

ATLANTA Ga-30315
(City, State and Zip Code)

404 622-3065
(Work Number) (Home Number)

01-R -1056